

BARROW
CIVIL DOCKET

71-C-335

UNITED STATES DISTRICT COURT

Jury demand date: (11-22-72)

D. C. Form No. 106A Rev.

8

TITLE OF CASE	ATTORNEYS
<p>CHARLES HENRY BEAN</p> <p>VS</p> <p>JUDY HOPE KELLY WORDROP</p> <p>and</p> <p>MFA Mutual Insurance Company,</p> <p>Garnishee</p>	<p>For plaintiff:</p> <p>Rucker & Tabor (Paul Mc Bride) P. O. Box 1439 Donald Hopkins Tulsa, Oklahoma 74101 587-3361</p> <p>For defendant:</p> <p>Judy Hope Kelly Wordrop (no counsel) Route 1, Box 13 Sperry, Okla.</p> <p>For Garnishee:</p> <p>Jack M. Thomas 587-8977 200 Franklin Building Tulsa, Oklah oma 74103</p>

STATISTICAL RECORD	COSTS		DATE	NAME OR RECEIPT NO.	REC.	DISB.
<p>J.S. 5 mailed 10-1-71</p> <p>J.S. 6 mailed 8-1-73</p> <p>Basis of Action: Removal Personal injury</p> <p>Action arose at: Tulsa, Co.</p>	<p>Clerk</p> <p>Marshal</p> <p>Docket fee</p> <p>Witness fees</p> <p>Depositions</p>		<p>1971</p> <p>9-14</p> <p>9-16</p>	<p>Thomas</p> <p>CD 13</p>	<p>15 00</p>	<p>15.00</p>

DATE	PROCEEDINGS	Date Order or Judgment Noted
9-14-71	Petition for removal from the District Court of Tulsa Co. filed. ds	
9-14-71	Bond on Removal, filed. MFA Mutual Ins. Co., principal and Travelers Insurance Co., Surety, in the sum of \$500.00. ds	
9-14-71	Notice of filing of petition and bond for removal by garnishee, filed. ds	
9-14-71	Garnishee's answer, filed. ds	
9-14-71	Acknowledgment of removal, filed. g	
9-24-71	Pltf's interrogatories, filed. m	
10-26-71	Answer to interrogatories, filed. m	
12-8-71	Parties directed to hold pre-trial prior to 1-12-72 and file pre-trial order not later than 1-19-72. (AEB-J)m	
1-19-72	Case stricken from pre-trial assignment of this date until 2-19-72. (AEB-J)hm	
1-26-72	Request of plaintiff for production of documents under Rule 34, filed. rm	
1-26-72	Motion to allow defendant 10 days to produce documents, filed. rm	
1-26-72	Brief in support of such motion, filed. rm	
1-26-72	Ordered by the court that def. & garnishee file a response to pltf.'s request for production of documents under Rule 34 and motion to allow defendant 10 days to produce documents, within 10 days. (AEB-J) rm	
1-31-72	Order filed that time for def. MFA to comply with Rule 34 is set at 10 days from 1/31/72, or 2/10/72. (AEB-J) rm	
2-3-72	Response of MFA, garnishee, to pltf.'s request for production of documents and pltf.'s motion to allow defs. 10 days to produce documents, filed. rm	
2-4-72	Motion to quash, by garnishee, filed. ds	
2-7-72	Request and stipulation, filed, that the Ct. set all motions for hearing before Mag. Morris L. Bradford on 2-15-72. hm	
2-7-72	Return on Civil Subpoena, filed. Served MFA Insurance Co., by serving its Agent, Dale Ball, on 1-26-72. v	
2-7-72	Return on Civil Subpoena to Produce Document or Object, filed. Served MFA Insurance Co., by serving its Agent, Dale Ball, on 1-26-72. v	
2-7-72	Return on Civil Subpoena, filed. Served Dale Ball on 1-26-72, filed. v	
2-7-72	Return on Civil Subpoena to Produce Document or Object, filed. Served Dale Ball, on 1-26-72. v	
2-11-72	Transcript of Proceedings on 2-7-72, filed by James C. Hickerson, CSR. v	
2-15-72	Ordered that Magistrate conduct hearing on pltf's request for production of documents & pltf's motion to allow defts 10 days to produce documents; & motion to quash by garnishee. (AEB-J)hm	
2-15-72	Hearing held on above motions. Counsel for pltf. requested Magistrate to make an in camera inspection of file & determine what material defts. shall furnish to pltf. Motion to quash by garnishee will be ruled on without further oral argument. (MLB-Mag)hm	
4-18-72	Motion of pltf. to remand suit to state court, and brief in support thereof, filed. rm	
4-18-72	Order that def. and garnishee is granted 10 days in which to respond to pltf.'s mo. to remand. (AEB-J) rm - ltr. mailed.	
5-11-72	Brief in opposition to motion to remand of the Deft., filed. v	
3-7-72	Recommended by Mag. that motion to quash be sustained & that request for production of documents is denied in part & sustained in part. Deft. to prepare recommendations and order. (MLB-Mag)hm	
6-14-72	Findings and recommendations of Magistrate, filed. (MLB-Mag)rm-copies mailed	
6-14-72	Ordered that Magistrate conduct hearing on pltf's motion to remand	

(cont.)

DATE	PROCEEDINGS	Date Order or Judgment Noted
	suit to state court. (AEB-J)hm	
6-14-72	Hearing held on pltf's motion to remand suit to state court. It is recommended that motion be denied & deft. to prepare findings & recommendations within 5 days. (MLB-Mag)hm	
6-16-72	Findings and Recommendations of Magistrate, filed. (MLB-Mag.)rm-cpy mailed	
6-19-72	Objs. of pltf. to F&R of magistrate, filed. rm - xxxxxxxxxxxx	
6-19-72	Ordered that def. is granted 10 days to respond to pltf.'s objs. to F&R of Mag. (AEB-J)rm - ltr. written	
6-27-72	Order, filed, that recommendations of Mag. are approved, that pltf's request for production of documents is denied with one exception; that pltf's motion to produce documents is denied & that pltf's motion to quash subpoena is sustained. (AEB-J)hm (copies mailed)	
6-28-72	Response of MFA Mutual Ins. Co., Garnishee, to Plaintiff's objections to the Court's Order overruling the motion to remand case to state Court filed. h	
7-10-72	Notice by pltf. to take deposition of def. Wordrop on 7/28/72 at 10 a.m., filed. Dep. subpoena issued. rm	
7-19-72	Marshal's return of service of deposition subpoena, filed. Served Judy Hope Kelly Wordrop in Woodward on 7/12/72 (USM \$38.76) rm	
7-31-72	Order overruling objections of pltf. to F & R of Mag. and overruling pltf's motion to remand, filed. (AEB-J)hm (copies mailed)	
8-3-72	Deposition of Judy Hope Kelly, filed. (Fees: \$27.00)hm	
9-8-72	Parties directed to hold pre-trial prior to 10-18-72 and file pre-trial order not later than 10-25-72. (AEB-J)hm	
10-25-72	Plaintiff's proposed pretrial order filed. ds - Original to Marilyn	
11-22-72	Garnishee's proposed pre-trial order, filed. rm	
12-15-72	Case set for jury trial on Monday, Jan. 8, 1972 at 9:30A.M.(AEB-j)h	
12-26-72	Addendum to pltf.'s proposed pre-trial order, filed. rm	
1-3-73	Application of MFA, garnishee to strike case from jury assignment filed.h	
1-5-72	It is ordered that the application of MFA, garnishee, to strike case from jury assignment is granted, and case stricken from jury docket of 1-8-73.(AEB-J)h (parties notified) to be reset on next jury docket.	
1-5-73	Motion of garnishee MFA to dismiss or in the alternative motion for judgment on the pleadings or motion for S/J, filed. hm	
1-5-73	Brief in support of above motion, filed. hm	
1-5-73	Ordered thatPltf. file responsive brief within 10 days to above motion. (AEB-J)hm	
3-28-73	Response of pltf. to def.'s <u>mo/for S.J.</u> and dismissal, w/brief in support thereof, filed. rm	
7-10-73	Order remanding case to District Court of Tulsa Cty, filed and entered.(AEB-J (copies to counsel and certified copy to Clk. Tulsa Cty.) rm	
7-12-73	Motion of garnishee MFA to reconsider, filed. hm	
7-12-73	Application of garnishee for extension of time to file brief in support of motion, filed. hm -07-9	
7-25-73	Application for extension of time to file brief in support of motion to reconsider, filed. hm 05-8	

DATE	PROCEEDINGS	Date Order or Judgment Noted
8-1-73	Garnishee MFA Mutual Ins. Co's Brief in Support of Their Mtn. to Reconsider, filed. jj	
10-4-73	Ordered by the Court that the Motion of Garnishee, MFA Mutual Ins. Co.'s Motion to Reconsider is MOOT. (AEB-J)v <i>ltr from AEB to parties in re: this order.</i>	